Integrating Accessibility into IT Solicitations

Missouri Office of Assistive Technology:
Web Accessibility Summit
April 24, 2025

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Texas Department of Information Resources

**Transforming How
Texas Government
Serves Texans**

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Benefits to Integration

- Better technology - SEO, universal design

- Reduced costs – prevent re-work, re-procurement

- Risk Mitigation – Legal fees, legislative/executive complaints,

- Better customer experience – technology that is usable

- Economic development – Small businesses

- Increased revenue – Tuition, taxes, fees

Accessibility SME role in Procurement Lifecycle

- **Cross-functional role in the agency**
- **Governance expert**
- **Solicitation development**
- **Vendor outreach**
- **Submission evaluation**
- **Contract language and deliverables requirements**
  - Technical standards specifications
  - Deliverables requirements
    - Development phase checkpoints (non-COTS)
    - Test plans and **executed results**
    - Corrective actions, remedies and warranties
    - Code remediation

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Federal Governance

ADA Title II State and Local Government

Title II rule change: Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities

- Fact Sheet
- DOJ Rule (ADA Title II) Toolkit for State and Local Government
- Federal Regulatory Impact Analysis
- Compliance dates (WCAG 2.1 AA)
    - April 24, 2024 – Publication date
    - April 24, 2026 – Entities with 50,000+ population
    - April 25, 2026 – Compliance Expected

Rehabilitation Act

- Section 508 (WCAG 2.0 AA)

State Governance

[Missouri HB 201 Info.Tech. Accessibility State Statutes and Standards](#)

1. Missouri Assistive Technology – authority
2. Procurement, development, maintenance
3. Quality Control
   a) Adopt standards
   b) Review process for customized applications
   c) Review process for purchased applications
   d) Training and technical assistance
   e) Include people with disabilities in reviews, testing, and training
   f) Ability to receive complaints from public

TAC 213.18 (Agencies) and 213.38 (IHEs) – Procurements

Sec.	Synopsis
(a)	DIR shall obtain and make available to state agencies **accessibility information for products or services**, where applicable.
(b)	Vendors required to **provide EIR accessibility information for products or services** to agencies and IHEs upon request.
(c)	Agencies and IHEs shall implement a **procurement accessibility policy**, and supporting **business processes and contract terms**, for making procurement decisions, and shall **monitor** the procurement processes and contracts for accessibility compliance.
(d)	Applies to **EIR developed, procured, or materially changed** by an agency, IHE, or contractor under a contract with an agency or IHE
(e)	Unless an **exception** is approved by the agency or IHE head or unless an **exemption** is approved by DIR, all EIR products shall comply with the provisions of Chapter 206 and Chapter 213 of this title, as applicable.
(f)	Not intended to prevent use of designs or technologies as **alternatives** to those prescribed provided they result in substantially equivalent or greater access to and use of a product for people with disabilities.
(g)	**Procurements > $500k** require documented **accessibility testing**, **planning**, and execution criteria and **third-party accessibility testing** to validate compliance for any EIR.

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Solicitation Development

- Review and edit solicitation language.
- Scope: Product or Service?
- Ensure VPAT and PDAA templates are included.
- Consult on changes with procurement team.

Solicitation Development

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Solicitation Language

Partnerships
- Leadership - Resources
- Procurement Team - Control
- IT Team (develop, review, maintain) - SME
- General Counsel - Risk Mitigation

State policy, standard, or statute to reference
- Static language - Coverage
- Templates - Current standards
- Training - Consistency & Risk Mitigation

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Digital Accessibility Governance - Texas

Under Texas Government Code, Chapter 2054, Subchapter M, DIR's state agency and Institution of Higher Education customers must procure EIR that complies with the accessibility standards defined in Texas Administrative Codes 1 TAC 206 and 1 TAC 213, in the Worldwide Web Consortium WCAG 2.0 AA technical standard as applicable, and when such products or services are available in the commercial marketplace or when such products are developed in response to procurement solicitations.

Accordingly, all vendors must provide accessibility documentation.

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What to ask from vendors

Policy Driven Adoption for Accessibility (PDAA) Vendor Self-assessment
- **Required** for all responses
- Assessment of the vendor organization's accessibility policies and accessibility maturity

Vendor Accessibility Development Services Information Request (VADSIR)
- **Non-product** offerings, e.g., website development, application development, other development services, configuration, and integrated solutions

Accessibility Conformance Report (ACR) (Completed VPAT®)
- **Commercial product** offering, e.g., Software (SaaS), Platform (PaaS), managed services, and products that contain a user interface

Additional supporting information may be requested.

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National Association of State CIOs' (NASCIO) PDAA

"Government procurement organizations can play a more prominent role in encouraging vendors to develop and implement accessibility governance models through an initiative called Policy Driven Adoption for Accessibility (PDAA). Adding PDAA documentation requirements to existing accessibility documentation requirements can provide additional insight into vendors' commitment to ICT accessibility. This can aid government procurement organizations in choosing vendors whose products and services can help them meet their legal obligations on accessibility over time.

Vendors with <u>mature</u> accessibility governance systems are likely to produce more accessible products and more accurate product documentation."

Source: NASCIO Accessibility in IT Procurement - July 2015

PDAA Maturity Matrix

	Components	Launch	Integrate	Optimize
1.	Develop, implement, and maintain an ICT accessibility policy.	Have an ICT accessibility policy.	Have appropriate plans in place to implement and maintain the policy.	Establish metrics and track progress towards achieving compliance to the policy.
2.	Establish and maintain an organizational structure that enables and facilitates progress in ICT accessibility.	Develop an organization wide governance system.	Designate of one or more individuals responsible for implementation.	Implement reporting/decision mechanism and maintain records.
3.	Integrate ICT accessibility criteria into key phases of development, procurement, acquisitions, and other relevant business processes.	Identify candidate processes for criteria integration.	Implement process changes.	Integrate fully into all key processes.
4.	Provide processes for addressing inaccessible ICT.	Create plans that include dates for compliance of inaccessible ICT.	Provide alternate means of access until the ICT is accessible; implement corrective actions process for handling accessibility technical issues and defects	Maintain records of identified inaccessible ICT, corrective action, and tracking.
5.	Ensure the availability of relevant ICT accessibility skills within (or to) the organization.	Define skills/job descriptions.	Identify existing resources that match up and address gaps.	Manage progress in acquiring skills and allocating qualified resources.
6.	Make information regarding ICT accessibility policy, plans, and progress available to customers.	Make Launch level information available.	Make Integrate level information available.	Make Optimize level information available.

Accessibility Conformance Report (ACR) (completed VPAT)

Required for Commercial Products including as-a-service products, managed services, and web interfaces.

- The ACR is a completed VPAT that demonstrates how a product conforms to current WCAG standards and success criteria.

- VPAT version 2.4 or higher must be used to create the ACR.

- Completed based on accessibility testing results and supported by documentation.

- Documents the conformance level with WCAG Success Criteria (Supported, Partially supports, Not Supported)

- All standards that do not fully conform to a success criterion need to have an accompanying explanation.

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Vendor Accessibility Development Services Information Request (VADSIR)

Vendors must complete this form (if response includes one or more of the offerings below) to demonstrates how digital accessibility practices are incorporated into their development lifecycle, and how they will ensure accessibility compliance.

- Web development services using WCAG 2.1 AA standard

- Web and mobile application development services using WCAG 2.1 AA standard

- Custom development services as part of an integrated solution

- Client based software application development services

- Other software development services containing one or more user interfaces (end user, admin, etc.)

Note: Document deliverables, e.g., support manuals, SMMs, templates, workpapers, reports, instructional documents, and other forms of supporting documentation must also be WCAG 2.1 AA compliant.

Vendor Partnerships for Best Value

- Train your vendors
- Importance of accessible technology
- Partnership serving citizens
- Burden of proof belongs to the vendor
- Credible evidence
- Do you have options?

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Pre-bid Window: Vendor Interaction

Solicitation Development

- Review and edit solicitation language.
- Product or Service?
- Ensure VPAT and PDAA templates are included.
- Consult on changes with procurement team.

Pre-bid Window

- Review solicitation with vendors.
- Answer digital accessibility questions.
- Courtesy reviews
- Support procurement team

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Questions from vendors

- What if...
- What documents go with which...
- But I'm a reseller...
- What if I'm only hiring developers...
- Is this required...

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Possible Solicitation Checklist

- ❑ Clearly state the laws and rules required
- ❑ List the required supporting documents and include templates
- ❑ Detail the requirements for ACRs (products) and VADSIR (development)
- ❑ Required PDAA
- ❑ Scoring criteria – Pass or Fail
- ❑ Requirements for development, testing, and remediation
- ❑ State how gaps will have alternate accommodation and target date for compliance
- ❑ Deliverable expectations and acceptance

Thank you!

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Evaluating IT Solicitations for Accessibility Credibility

Missouri Office of Assistive Technology:
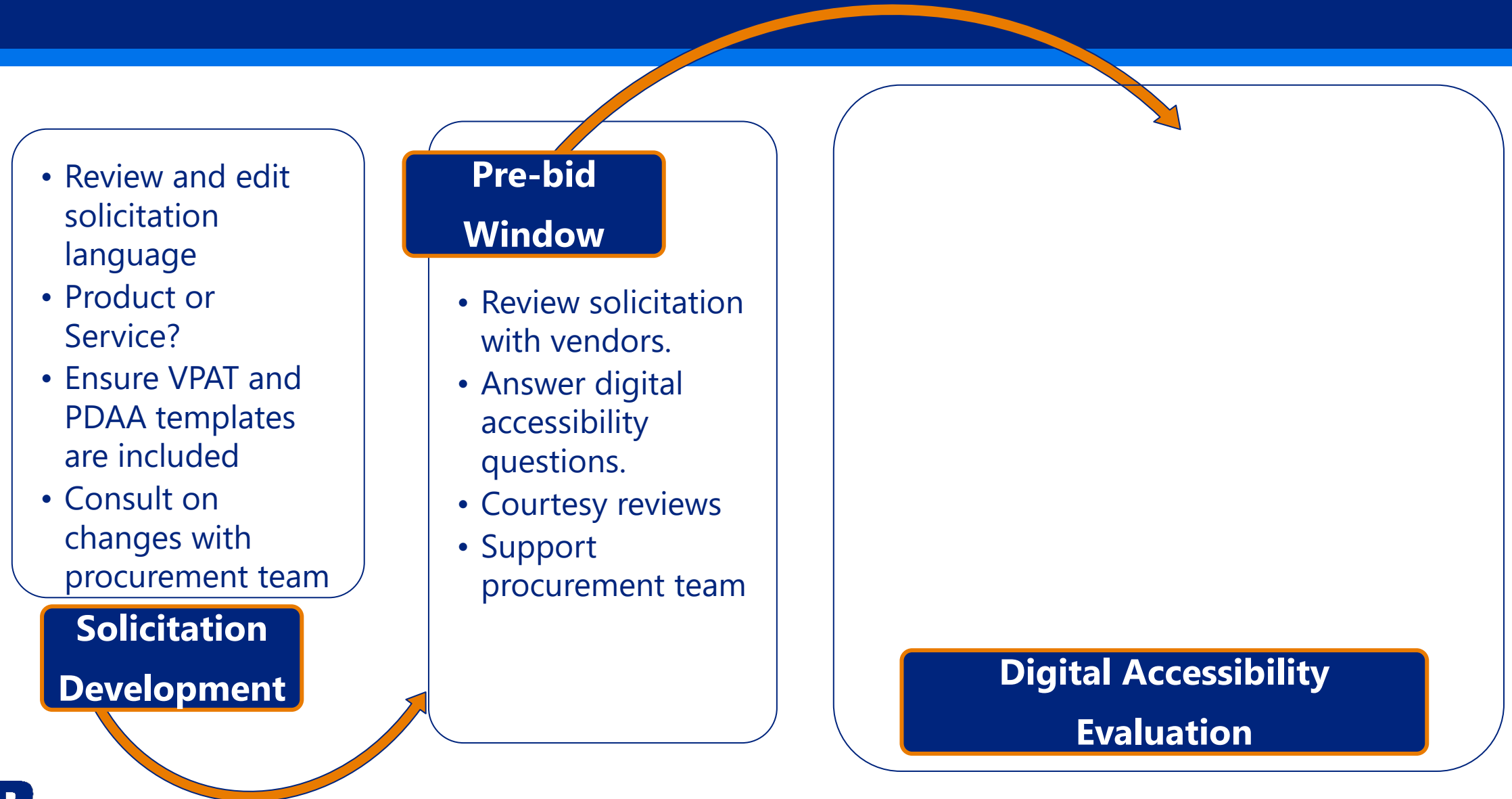Web Accessibility Summit
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Solicitation Evaluation

Solicitation Development

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Pre-bid Window

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Digital Accessibility Evaluation

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Review and Screening

- Courtesy Reviews for vendors
  - PDAA
  - VADSIR – development information
- Missing documents
- Properly labeled files

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# Vendor Partnerships for Best Value

- Train your vendors
- Importance of accessible technology
- Partnership serving citizens
- Burden of proof belongs to the vendor
- Credible evidence
- Do you have options?

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Evaluating the Policy Driven Adoption for Accessibility Self-assessment

The PDAA self-assessment

- Required
- Organization-wide accessibility governance
- Documented accessibility policies and plan for inaccessible EIR
- Accessibility in key business processes: IT, HR, Procurement
- Accessibility included in product and project lifecycles
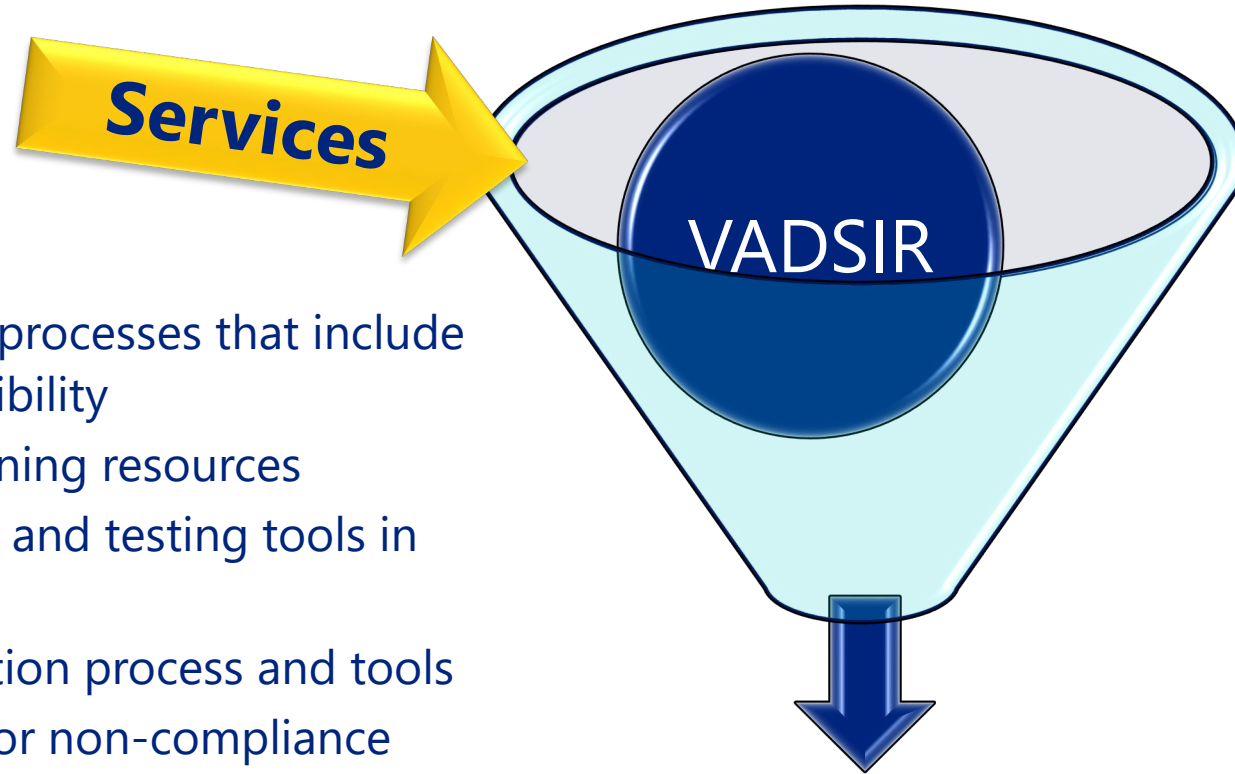- Staff with digital accessibility skills

Required
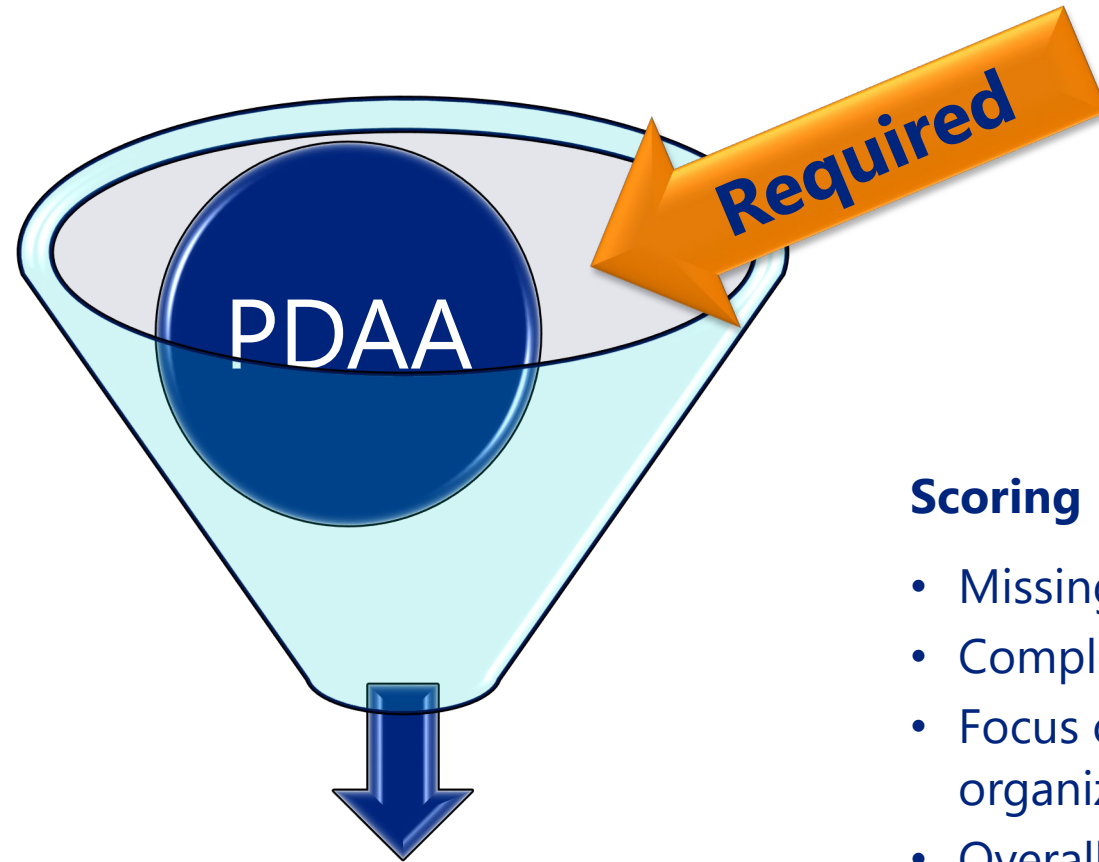
PDAA

Scoring

- Missing - DQ
- Complete
- Focus on vendor organization
- Overall score

Assessment Score

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PDAA Maturity Matrix Scores

	Components	Launch (1-25)	Integrate (25-50)	Optimize (50-60)
1	Develop, implement, and maintain an ICT accessibility policy.	Have an ICT accessibility policy.	Have appropriate plans in place to implement and maintain the policy.	Establish metrics and track progress towards achieving compliance to the policy.
2	Establish and maintain an organizational structure that enables and facilitates progress in ICT accessibility.	Develop an organization wide governance system.	Designate of one or more individuals responsible for implementation.	Implement reporting/decision mechanism and maintain records.
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6	Make information regarding ICT accessibility policy, plans, and progress available to customers.	Make Launch level information available.	Make Integrate level information available.	Make Optimize level information available.

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Evaluating the Vendor Accessibility Development Services Information Request

Services

VADSIR

The VADSIR

- Key business processes that include digital accessibility
- Skills and training resources
- Development and testing tools in use
- Corrective action process and tools
- Alternatives for non-compliance
- Provided examples, e.g., websites

Score of 0, 1, 2, 3

Scoring

- Missing
- Complete
- Review answers – do they answer the question and how much detail
- Training – internal or external
- Tracking and resolution of corrective actions
- Work examples

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VADSIR Questions

1. Key **business processes that include accessible functions**, e.g., product development, procurement, HR, etc.

2. Detail **skills and training resources** used to develop and produce accessible products.

3. Types of **development and testing tools** used when developing accessible products.

4. Corrective action process and systems used for **documenting, tracking, and resolving accessibility issues and defects.**

5. Alternate methods that can be provided for **accessibility non-compliance**.

6. Provide links to or **examples** of your organization's development products.

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Evaluating Accessibility Conformance Reports

The ACR

- One for each product
- VPAT version 2.3 +
- Product description
- Evaluation method used for testing
- Conformance with WCAG 2.0 AA + success criteria

Products

ACR
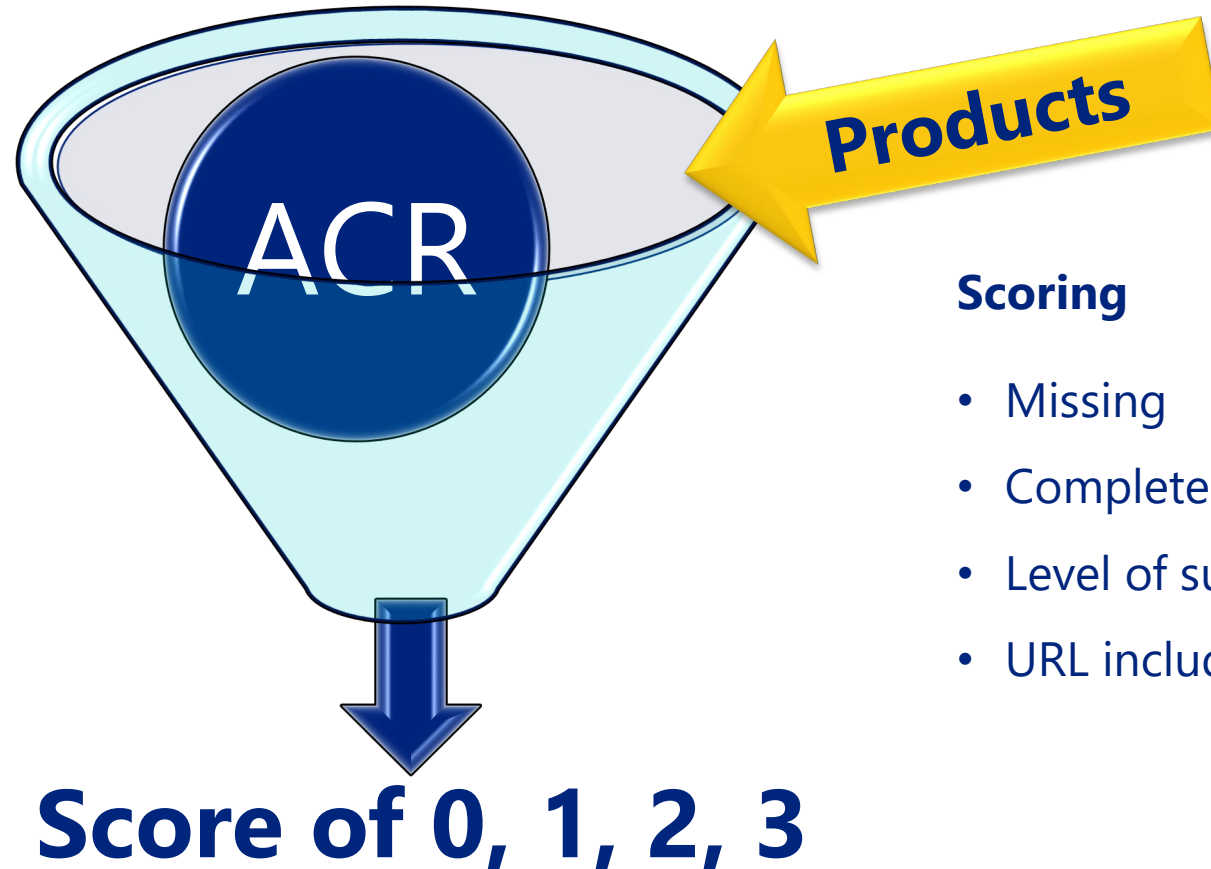
Scoring

- Missing
- Complete
- Level of support
- URL included

Score of 0, 1, 2, 3

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Voluntary Product Accessibility Template (VPAT)

Perceivable

1.1 Text Alternatives
1.1.1 Non-text Content (A)
1.2 Time-based Media
1.2.1 Audio-only and Video-only (Prerecorded) (A)
1.2.2 Captions (Prerecorded) (A)
1.2.3 Audio Description or Media Alternative (Prerecorded) (A)
1.2.4 Captions (Live) (AA)
1.2.5 Audio Description (Prerecorded) (AA)
1.3 Adaptable
1.3.1 Info and Relationships (A)
1.3.2 Meaningful Sequence (A)
1.3.3 Sensory Characteristics (A)
1.3.4 Orientation (AA)
1.3.5 Identify Input Purpose (AA)

Perceivable (continued)

1.4 Distinguishable
1.4.1 Use of Color (A)
1.4.2 Audio Control (A)
1.4.3 Contrast (Minimum) (AA)
1.4.4 Resize Text (AA)
1.4.5 Images of Text (AA)
1.4.10 Reflow (AA)
1.4.11 Non-Text Contrast (AA)
1.4.12 Text Spacing (AA)
1.4.13 Content on Hover or Focus (AA)

Operable

2.1 Keyboard Accessible
2.1.1 Keyboard (A)
2.1.2 No Keyboard Trap (A)
2.1.4 Character Key Shortcuts (A)
2.2 Enough Time
2.2.1 Timing Adjustable (A)
2.2.2 Pause, Stop, Hide (A)
2.3 Seizures
2.3.1 Three Flashes or Below Threshold (A)
2.4 Navigable
2.4.1 Bypass Blocks (A)
2.4.2 Page Titled (A)
2.4.3 Focus Order (A)
2.4.4 Link Purpose (In Context) (A)
2.4.5 Multiple Ways (AA)
2.4.6 Headings and Labels (AA)
2.4.7 Focus Visible (AA)
2.5 Input Modalities
2.5.1 Pointer Gestures (A)
2.5.2 Pointer Cancellation (A)
2.5.3 Label in Name (A)
2.5.4 Motion Actuation (A)

Understandable

3.1 Readable
3.1.1 Language of Page (A)
3.1.2 Language of Parts (AA)
3.2 Predictable
3.2.1 On Focus (A)
3.2.2 On Input (A)
3.2.3 Consistent Navigation (AA)
3.2.4 Consistent Identification (AA)
3.3 Input Assistance
3.3.1 Error Identification (A)
3.3.2 Labels or Instructions (A)
3.3.3 Error Suggestion (AA)
3.3.4 Error Prevention (Legal, Financial, Data) (AA)

Robust

4.1 Compatible
4.1.1 Parsing (A)
4.1.2 Name, Role, Value (A)
4.1.3 Status Messages (AA)

Conformance with WCAG Success Criteria

- ❑ **Supports**: The functionality of the product has at least one method that meets the criterion without known defects or meets with equivalent facilitation.

- ❑ **Supports with Exceptions**: Some functionality of the product does not meet the criterion.

- ❑ **Does Not Support**: The majority of product functionality does not meet the criterion.

- ❑ **Not Applicable**: The criterion is not relevant to the product.

- ❑ **Not Evaluated**: The product has not been evaluated against the criterion. This applies only to Level AAA criteria for state of Texas solicitations.

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Analyzing ACRs for Credibility

Should be FULLY Completed per the instructions

[Company] Accessibility Conformance Report
Revised Section 508 Edition
VPAT® Version 2.3 (Revised) – April 2019

Name of Product/Version:
Product Description:
Report Date:
Contact Information:
Notes:
Evaluation Methods Used:
Applicable Standards/Guidelines

Conformance level (as defined in "Terms" by ICT Type

Supporting or exceptions information by ICT type

Table 1: Success Criteria, Level A

Notes:

WCAG or 508 Success Criteria

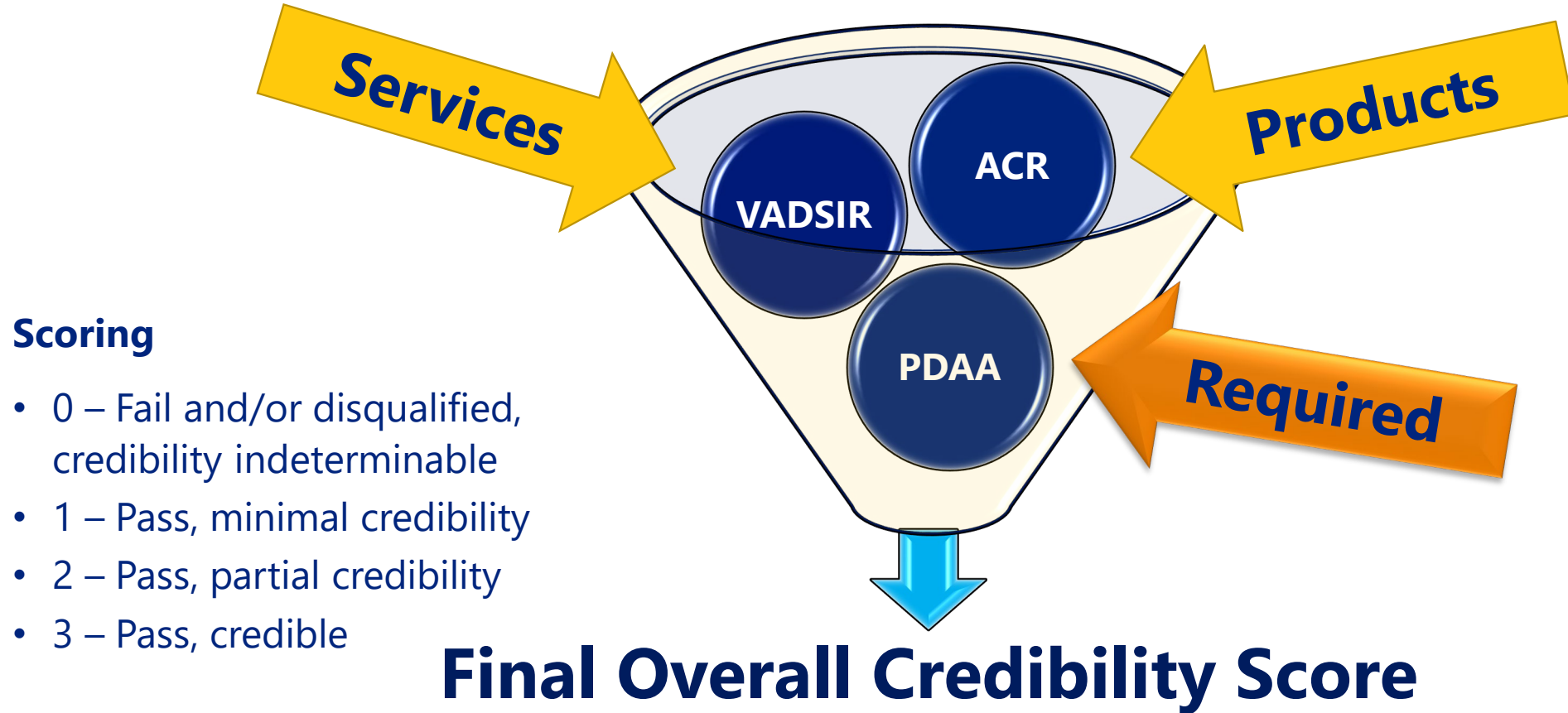| Criteria	Conformance Level	Remarks and Explanations
1.1.1 Non-text Content (Level A) Also applies to: Revised Section 508 • 501 (Web)(Software) • 504.2 (Authoring Tool) • 602.3 (Support Docs)	Web: Electronic Docs: Software: Authoring Tool:	Web: Electronic Docs: Software: Authoring Tool:
1.2.1 Audio-only and Video-only (Prerecorded) (Level A) Also applies to: Revised Section 508 • 501 (Web)(Software) • 504.2 (Authoring Tool) • 602.3 (Support Docs)	Web: Electronic Docs: Software: Authoring Tool:	Web: Electronic Docs: Software: Authoring Tool:

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Procurement Red Flags related to ACRs

ACRs may lack credibility if they contain false, inaccurate, or misleading information; for example:

- Missing ACRs for products listed in the response (URL)
- Missing product name, version, description, and company's contact information
- Missing evaluation method (how was testing done)
- Evaluation method: "General product knowledge"
- Nonspecific accessibility statements included v. providing an ACR (see also general accessibility web page)
- Identical ACR results for one company's different products
- Incomplete/missing responses for applicable standards
- Completed sections/tested standards that are not applicable
- Use of nonstandard conformance level terms
- N/A (not applicable) for all or many "Conformance level" responses for applicable standards
- No to little information in the "Remarks" or "Explanation" column that describes conformance gap
- Vendor lacks knowledge or unaware of the VPAT and ACRs.

High likelihood there are accessibility gaps if red flags are present, and other credible supporting documentation is missing or does not align with the ACR.

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Complete Digital Accessibility Procurement Review

Scoring

- 0 – Fail and/or disqualified, credibility indeterminable
- 1 – Pass, minimal credibility
- 2 – Pass, partial credibility
- 3 – Pass, credible

Services → **Products** → **Required** → **VADSIR** **ACR** **PDAA**

Final Overall Credibility Score

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Risk and Exceptions

Risk **Assessment**

- Identify Conformance Gaps
- Probability of occurrence (Low, Medium, High)
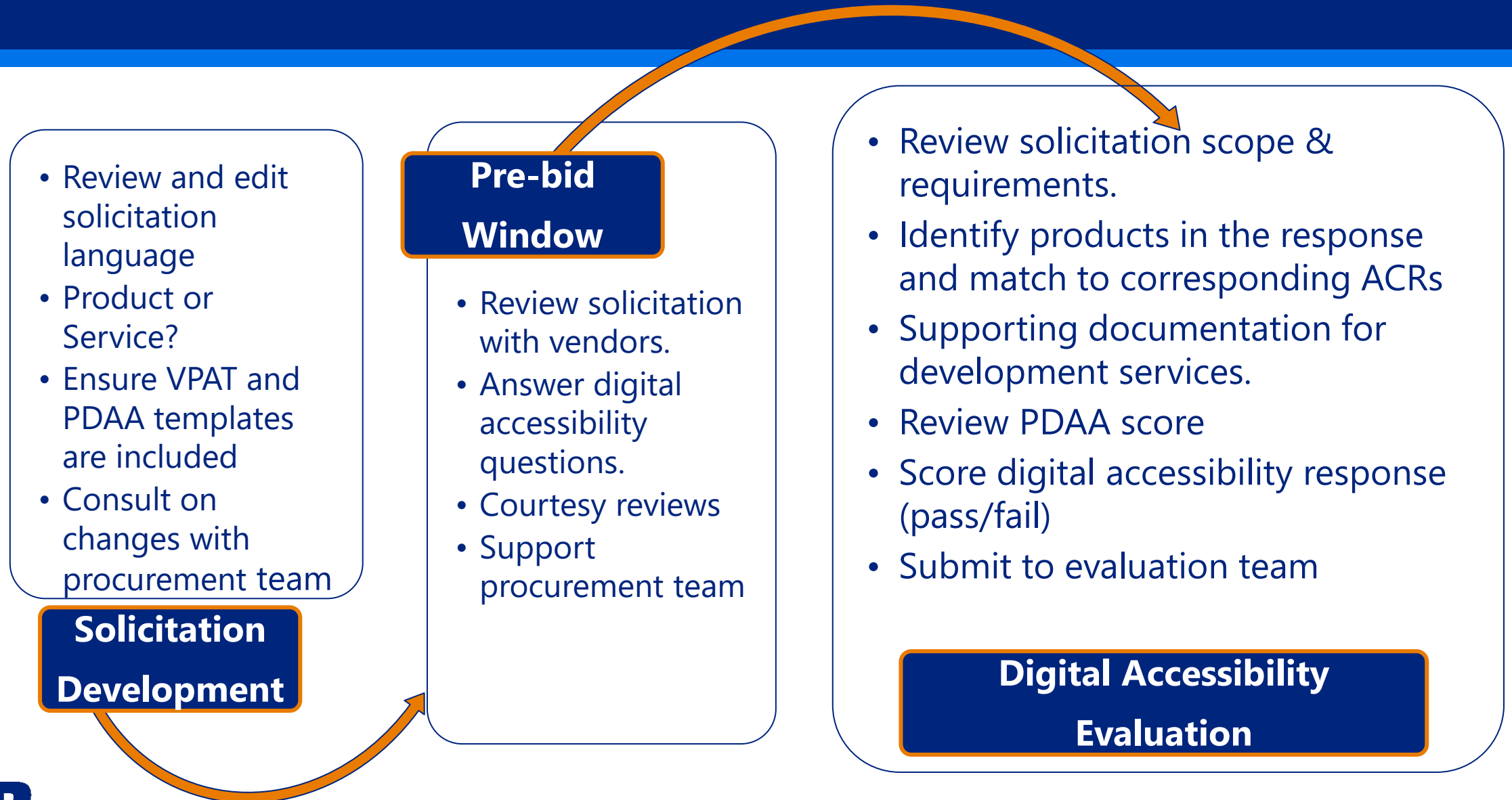- Impact if occurrence (Low, Medium, High)

Exception **Documentation**

- Identify gaps (be specific)
- Risk score (probability and impact)
- Justification (fundamental alteration, financial/administrative burden)
- Action plan (responsiveness is key)
- Re-evaluation deadline (this is not a pass)
- Leadership approval (accepting the risk)

Risk Hierarchy Example

External products, Internet and internet applications, etc.

Internal use: Intranet and intranet applications, desktop apps, copy machines, telecommunications, etc.

High Probability, High Impact

High Probability, Medium Impact

Low Probability, High Impact

Low Probability, Low Impact

High Probability, High Impact

High Probability, Low Impact

Low Probability, High Impact

Low Probability, Low Impact

Accessible Procurement Lifecycle

Solicitation Development

- Review and edit solicitation language
- Product or Service?
- Ensure VPAT and PDAA templates are included
- Consult on changes with procurement team

Pre-bid Window

- Review solicitation with vendors.
- Answer digital accessibility questions.
- Courtesy reviews
- Support procurement team

Digital Accessibility Evaluation

- Review solicitation scope & requirements.
- Identify products in the response and match to corresponding ACRs
- Supporting documentation for development services.
- Review PDAA score
- Score digital accessibility response (pass/fail)
- Submit to evaluation team

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Controls and Monitoring

- Accessibility Statements
- Corrective Action Plans
- Clear requirements
- Iterative testing during sprints
- Deliverable expectations document
- ACR for developed products
- Periodic testing (automated)

Thank you!

Marie Cohan

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